

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAYTON LASLEY,

Defendant.

8:16CR156

ORDER

Defendant Payton Lasley (Lasley), appeared before the court on October 21, 2016, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 4). Lasley was represented by Assistant Federal Public Defender Michael J. Hansen and the United States was represented by Assistant U.S. Attorney Michael P. Norris. Through his counsel, Lasley waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find the Petition alleges probable cause and Lasley should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government moved for detention. Lasley presented no evidence nor requested a detention hearing. Since it is Lasley's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence he is neither a flight risk nor a danger to the community, the court finds Lasley has failed to carry his burden and Lasley should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:00 a.m. on December 22, 2016**. Defendant must be present in person.

2. Defendant Payton Lasley is committed to the custody of the Attorney General or her designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 21st day of October, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge